

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MARK GRAY, Individually and On Behalf of : Civil Action No. 1:08-cv-04906-MGC
All Others Similarly Situated. :
X

Plaintiff,

VS.

NEXCEN BRANDS, INC., et al.,

Defendants.

GHIATH HAMMOUD, et al., Individually and on Behalf of All Others Similarly Situated, . . . Civil Action No. 1:08-cv-05063-MGC

Plaintiffs,

VS.

NEXCEN BRANDS, INC., et al.,

Defendants.

RONALD DOTY, Individually and On Behalf : Civil Action No. 1:08-cv-05172-MGC
of All Others Similarly Situated, :

Plaintiff

vs.

NEXCEN BRANDS, INC., et al.,

Defendants.

[Caption continued on following page.]

NOTICE OF MOTION FOR CONSOLIDATION, APPOINTMENT AS LEAD PLAINTIFF
AND FOR APPROVAL OF SELECTION OF LEAD COUNSEL.

x

FRANK B. FALKSTEIN, Individually and On : Civil Action No. 1:08-cv-06126-MGC
Behalf of All Others Similarly Situated, :
Plaintiff, : CLASS ACTION
vs. :
NEXCEN BRANDS, INC., et al., :
Defendants. :

x

PLEASE TAKE NOTICE that Institutional Investor Steamfitters Local 449 Pension Fund (“Steamfitters Local 449”) will hereby move this Court, on a date and at such time as may be designated by the Court, for an Order (attached hereto as Exhibit A): (i) consolidating the Actions; (ii) appointing Steamfitters Local 449 as Lead Plaintiff; (iii) approving Steamfitters Local 449’s selection of the law firm of Coughlin Stoia Geller Rudman & Robbins LLP to serve as Lead Counsel; and (iv) granting such other and further relief as the Court may deem just and proper. In support of this Motion, Steamfitters Local 449 submits herewith a Memorandum of Law and Declaration of Mario Alba Jr., dated July 28, 2008.

DATED: July 28, 2008

COUGHLIN STOIA GELLER
RUDMAN & ROBBINS LLP
SAMUEL H. RUDMAN
DAVID A. ROSENFELD
MARIO ALBA JR.

/s/ Mario Alba Jr.
MARIO ALBA JR.

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[Proposed] Lead Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on July 28, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I have mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

s/ Mario Alba Jr.

MARIO ALBA JR.

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NEXCEN

Service List - 7/25/2008 (08-0117)

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Service List - 7/25/2008 (08-0117)

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EXHIBIT A

UNITED STATES DISTRICT COURT
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of All Others Similarly Situated, :

Plaintiff,

VS.

NEXCEN BRANDS, INC., et al.,

Defendants.

[Caption continued on following page.]

[PROPOSED] ORDER CONSOLIDATING THE ACTIONS, APPOINTING LEAD PLAINTIFF AND APPROVING SELECTION OF LEAD COUNSEL

x

FRANK B. FALKSTEIN, Individually and On : Civil Action No. 1:08-cv-06126-MGC
Behalf of All Others Similarly Situated, :
Plaintiff, : CLASS ACTION
vs. :
NEXCEN BRANDS, INC., et al., :
Defendants. :

x

Having considered the Motion of Steamfitters Local 449 Pension Fund (“Steamfitters Local 449”) for Consolidation, Appointment as Lead Plaintiff and Approval of Selection of Lead Counsel and the Memorandum of Law and Declaration of Mario Alba Jr., in support thereof, and good cause appearing therefore:

1. The Actions are hereby consolidated;
2. Steamfitters Local 449 is hereby appointed Lead Plaintiff for the Class pursuant to Section 21D of the Securities Exchange Act of 1934; and
3. The law firm of Coughlin Stoia Geller Rudman & Robbins LLP is hereby appointed Lead Counsel.

IT IS SO ORDERED.

DATED: _____

THE HONORABLE MIRIAM GOLDMAN CEDARBAUM
UNITED STATES DISTRICT JUDGE